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January 31, 2006

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John K. McDonald, Ph.D..

FROM

19

PAGES (WITH COVER)

Serial No. 09/943,138

REFERENCE NO

37370-323869 (0200)

CLIENT/MATTER NO.

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## COMMENTS

The facsimile confirmation of the Patent Office Imprinted hereon will acknowledge receipt of:

Applicant: Dyer  
Title: Methods and Compositions for Tissue Augmentation  
Serial No./Docket No.: 09/943,138 37370-323869 (0200)  
Filing Date: August 30, 2001

## PAPERS SUBMITTED:

1. PTO Form SB21 Transmittal
2. Amendment Transmittal Form
3. Response to Non-Final Office Action
4. Declaration of Wallace K. Dyer - Exhibit A
5. Declaration of Stephen Perkins - Exhibit B

Date: January 31, 2006

By: John K. McDonald, Ph.D.

Reg. No. 42,860

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PTO/SB/21 (09-04)

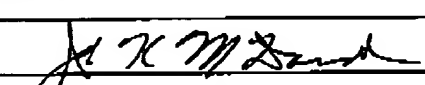
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/943,138	<b>RECEIVED CENTRAL FAX CENTER JAN 31 2006</b>
	Filing Date	August 30, 2001	
	First Named Inventor	Wallace K. Dyer	
	Art Unit	1639	
	Examiner Name	Jon D. Epperson	
Total Number of Pages in This Submission	Attorney Docket Number	37370-323869 (0200)	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Amendment transmittal form		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	KILPATRICK STOCKTON LLP		
Signature			
Printed name	JOHN K. MCDONALD, PH.D.		
Date	JANUARY 31, 2006	Reg. No.	42,860

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Typed or printed name	JOHN K. MCDONALD, PH.D.	Date	JANUARY 31, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENTS

## IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of:

Docket No. 37370-323869 (0200)

WALLACE K. DYER

Serial No. 09/943,138

Filed: AUGUST 20, 2001

For: METHODS AND COMPOSITIONS FOR TISSUE AUGMENTATION

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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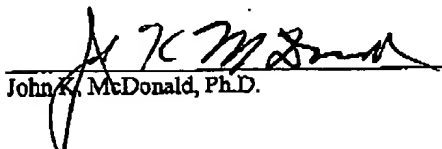
Transmitted herewith is a paper in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established.
- ☐ Applicant claims small entity status.
- ☒ No additional fee is required.
- ☐ The additional fee is calculated as shown below:

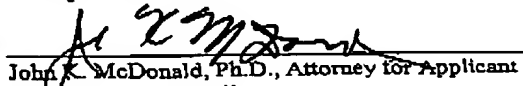
					SMALL ENTITY		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	19	MINUS	29=		x25	\$	x50	\$
INDEP.	3	MINUS	3=		x100	\$	x200	\$
FIRST PRESENTATION OF								
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS					+180	\$	+360	\$
TOTAL						\$0	\$	
ADDITIONAL FEE						\$0	\$	

- ☐ A check in the amount of \$ is attached.
- ☐ Form PTO-2038 is attached, authorizing the charge of \$
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 11-0855. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office (Fax No. 571-273-8300) on January 31, 2006.

  
John K. McDonald, Ph.D.

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Suite 2800  
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Telephone: 404/815-6500

  
John K. McDonald, Ph.D., Attorney for Applicant  
Reg. No. 42,860

PATENTS

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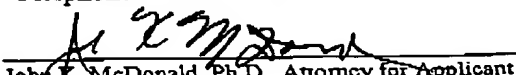
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